

Extension of Remarks



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The Congressional Fellowship: A Bicameral Perspective

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In August 1994, as I flew back to California with my family, and left the 103rd Congress behind me, I knew, sadly, that my congressional fellowship had ended, but I did not know that it was the end of an era as well. Few professional Congress watchers suspected or anticipated the deluge coming that fall. But something significant had happened during the time my class of Fellows was there, and it was evident even as we returned home. It did not require retrospective analysis following the elections. Congress had imploded. Not that any year in Congress is devoid of interesting issues and events, but it was a good year to be there. If nothing else this was the test of united government after twelve years of some variation of divided government. But it proved to be much more than that. Following Clinton's somewhat uneasy honeymoon and rocky but largely successful first year, the second session of the 103rd revealed the fragility of his mandate and the inability of many congressional Democrats to sense that. Or could it be that Democrats had too much sense of it? Perhaps it was a combination of both. Whatever the case, our time in Congress was a story of decline, from the brilliant debut of Clinton's health care initiative and passage of NAFTA in fall 1993 to the opening of the Whitewater investigation and the legislative train wreck of August and September 1994. This was perhaps not unprecedented, but rather unusual and interesting, especially from

my perspective as someone interested in bicameralism. I came away with a much better understanding of Congress and the relationship between the House and Senate, but also with some thoughts about the strengths and weaknesses of the professional literature that had, hitherto, been my principal source of insight into Congress. A decade later, those impressions have evolved but mostly in ways that confirm their validity.

The Bicameral Congress and Reform as a Lens on Bicameralism

I applied with the express intention of seeing bicameralism in action. This required that I do what few fellows actually do; that is, switch sides of the Capitol mid way through their time in D.C. The utility of experiencing both sides of the Capitol certainly depends on one's interests. But I found it invaluable. I should note that I applied to the Fellowship Program in the middle of my fifth year as an assistant professor. I would in fact be gone during consideration of my tenure case (a little incidental benefit of the program). My work to that point had been about the politics of defense policy and the gender gap in American politics (e.g., Wirls 1986, 1992). Some of that work had been about Congress directly and I had been teaching a senior seminar on Congress. I had been writing some conference papers on what I began to see (around 1990 and 1991) as one of the shortcomings in the literature on Congress: the lack of bicameral

comparison or analysis. Each chamber tended to be analyzed independently.¹ Though some comparative work existed, few scholars seemed interested in the effect of bicameralism on outcomes.

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I spent half the year with Representative Lee Hamilton (D-Indiana), then chair of the Foreign Affairs Committee. The other half was spent in the office of Senator Chris Dodd (D-Connecticut). Insights into bicameralism would have been forthcoming regardless of what I worked on, but fortuitously (though my choice of Dodd as my second assignment was fairly deliberate) both members had a direct interest in one of the signal issues of the 103rd Congress (and one that implicated bicameral relations quite directly): congressional reform. Congress had appointed the Joint Committee on the Organization of Congress and Lee Hamilton was the co-chair. Dodd was not on the joint committee but he was on the Senate Rules Committee, which would receive and consider the joint committee's recommendations, which were released in December 1993. I served as a legislative assistant to both members on this issue. On the

House side, I had the privilege and pleasure of being able to learn from and work with Larry Evans and Walter Oleszek, who were two of the professional staff to the joint committee and then continued to work with Representative Hamilton as the recommendations went forward and were turned into the proposed Legislative Reorganization Act of 1994. In this capacity, I got to roam the halls of Congress as Hamilton met with various congressional constituencies to lobby for the reforms. I also spent several hours in H-313 (perhaps my favorite room in the Capitol) listening to the hearings on the reform proposals. I then moved to the Senate just as Dodd and the Senate Rules Committee were to consider the Senate's version. As the staff assigned to evaluate what was by then left of the recommendations, I was asked first to evaluate any possible effect the new committee assignment rules might have on Dodd. This time I got to sit behind Dodd in Russell 301 as the committee deliberated on its version of reform.

To make a long story short, the fellowship confirmed for me that Representatives and Senators were the same kind of politicians operating under different conditions, a point being brought home by the then emerging institutionalism literature from various perspectives. It was impressive to witness the extent to which the two bodies were composed of similar actors, responding to the same exogenous forces, in nearly the same way. The differences were the institutional rules and contexts through which those identical actors, motivations, and external forces were filtered. Senator Dodd added to my sense of this during an hour-long interview I had with him. We spent much of our time on exactly this issue and Dodd was able to draw on his experience as both a Representative and Senator to reflect on the bicameral parallels and differences. As far as congressional reorganization, one of the touchstone issues

¹ Major exceptions from this era include Smith 1989 and Longley and Oleszek 1989.
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was the Senate filibuster. This was the period during which the filibuster emerged as a central issue for members of Congress and scholars alike. House Democrats (including David Obey, Barney Frank, and Mike Synar) launched a short-lived war on Senate Rule 22 following the release of a DSG report on the increasing impact of the filibuster. Senators, with a few exceptions like Tom Harkin, wanted nothing to do with this. Things pretty much went from "joint reorganization" to "you reform your house; we might reform ours." Senators quickly snuffed out any threat to their individual prerogatives.

Bicameral Parochialism

In particular, my experiences with reform and with Dodd and Hamilton's offices more generally forced me to reconsider a common view of bicameral difference. That is, Senators, who typically represent more people and a wider variety of interests, must take a broader view of public policy. Serving on more committees, Senators become generalists in contrast to House specialists. These are valid on some level. What came to me, however, was how such truisms could be quite misleading. Senators could be as or even more parochial than House members. And not just small state Senators, although they provided some good examples. I witnessed Senator Ted Stevens (R-Alaska) declare that any attempt to limit the right of Senators to offer non-germane amendments "would be the dissolution of the Union" because such amendments were one of the only ways small states got a fair share (I mean, fair shake). "That's," Stevens continued, "how strong the people in small states feel about this."² Well, it's at least how strong Senators from small states feel about this. More generally, Senator Dodd's office was as attentive to Connecticut's variety of parochial interests as Hamilton's was to those in southern Indiana. In some ways the

possibilities for funneling pork to a particular House district (like southern Indiana) are rather limited. Contrast that with nearly any state. While I was there Dodd's office handled numerous such issues, including getting funding for a Seawolf submarine the Navy didn't really want, and helping with a deal to get a Yankee farm team to move to the state. Senators are required to comb all opportunities. Senators in general are stretched too thin to think deeply, and much of the added scope of their job is in service of parochial interests, on behalf of which they can apply their powerful institutional tools (including Steven's Union-preserving non-germane amendment). In turn, I came to think that members of the House, especially if they have a comfortable relationship with their district, are able often to take a fairly broad view of things. Many seemed to have considerable latitude to be policy generalists in ways that some Senators did not have the time, freedom, or inclination to be.

The "Two Congresses"

This rethinking of the relationship between national policy and parochialism went a bit further. One congressional reality that most fellows who work in members' offices experience the quite vividly it is the relationship between members of Congress as representatives of geographical constituencies and members as national policy makers on Capitol Hill, or what Davidson and Oleszek call the "Two Congresses. It is an apt image, but I would stress the following. My time on the Hill brought home how seamlessly the two Congresses are joined. That is, one way of looking at the two Congresses is as competing priorities, tearing members in different directions. To some extent that is true. But the two are, of course, really one, one (dys)functional whole. The sense I got from being on the Hill is the weird way in which it is all integrated via the congressional enterprise, as we sometimes call it. That term for the

² Author's notes from Senate Rules and Administration Committee Hearing, June 9, 1994.

small corporation run by each member is perhaps one of the more apt nicknames given to a feature of Congress.

One interesting aspect of working both sides of the Hill was to see how similar the politics of each operation was. Dodd's and Hamilton's were both intensely direct and personal operations with the sole purpose of supporting and promoting their boss. We all know this, but being a direct witness to the machines in action was revelatory nonetheless. Though as a Senator, Dodd had the bigger operation, the two were comparable. Both were senior Democrats with a fairly safe relationship with their constituencies. So it was instructive to see how similar the operations were. Connecticut and southern Indiana came first. In effect, I came to see how the office operations were what wove the two Congresses into one fabric. For example, I found that staff had internalized their roles so thoroughly that they at times lost any sort of critical or ironic perspective on the possible contradictions between local and national actions.³ And this still makes me think of the relative lack of work on the comparative nature of representation.⁴ Congress makes possible this kind of individualistic enterprise in ways nearly no other legislature does. The extent to which the American system of elections and separation of powers produce this oddity of the personally powerful but politically isolated representative is still something to behold. A personal power that then gets invested into reelection. And when it comes to policy-making, that same energy is often is channeled into the parochial, with few strong links to a national platform or program.

³ One example: Dodd's office worked assiduously to get funding for one more Seawolf submarine, despite the fact that Dodd was a social liberal looking to cut the overall defense budget. When the money came through, there was a celebration in the office among the even more liberal staff.

⁴ Unless I've missed something, everyone still seems to be citing Cain, Ferejohn, and Fiorina 1987.

In short, I saw at work the extreme incentives to go the personal route.⁵

The Constructivist or Sociological Congress

It was seeing the personal congressional enterprises in action that made me wonder whether a certain strain of scholarship was lacking in the contemporary literature on Congress. Congressional scholars have done much to explain the various institutional features and their impact. But at the time, and this trend continued, the literature was moving in the direction of formal rational choice and historical institutional approaches. Both were and are valuable. It seemed to me then, however, and I think it is more true now, that we had all but abandoned another approach: the sociological study of Congress. We have this tradition with the work of Fenno and Kingdon, but we don't seem to be doing much of it these days. We should not leave this work for sociologists or even anthropologists; they aren't interested anyway.⁶ Or journalists, for that matter, though I think they have done some great work. I think we political scientists should be interested in this pursuit. The fashion in international relations is to apply the label "social constructivism" to recent attempts to understand how politicians, decision-making institutions, or "states" devise or construct their worldviews. This, apparently, has been somewhat of a breakthrough for theoretical perspectives dominated by various shades of realism. Institutionalism, formal and otherwise, has provided some of the structural foundations of congressional sociology or congressional constructivism, but not some of the processes and details of social construction, and perhaps more to the point, not the implications for power.

⁵ This of course has a rich bibliography. One of the more recent and classroom-friendly arguments: Kenneth Mayer and David Canon 1999.

⁶ One anthropological exception: Weatherford 1981. Some of the work on women in Congress gets at this, including Witt, Paget, and Matthews 1994.

Which leads me to my final point. For decades a pluralist bias or assumption has pervaded the literature on Congress. We can explain why things do or do not happen but we can't tell you who gains or loses from this, or if there is some systematic bias to this process (except perhaps to argue, often implicitly, that Congress serves its own interests). The general implication is that there are different winners and losers depending on the issue or configuration of forces. Some of what I consider the best literature on Congress, including Douglas Arnold's *Logic of Congressional Action*, provides considerable insight into the possibilities and tendencies. And I found his and other such work confirmed by my experiences in Congress. But I also found myself thinking there was a lot more to probe, especially about the ends rather than the means of congressional action. In some of the few instances where direct attempts have been made to detect social power, the results have been lackluster. For example, the literature on PACs and campaign contributions generally failed to detect significant statistical relationships between dollars and votes, but has anyone among us been satisfied by the rather mundane finding that members are not bought in such an obvious manner? Did that convince us that money and various forms of socio-economically based influence did not matter? It took sociologists, in the case of PACs, to make an attempt to theorize around the sterile dichotomy between buying votes and some vague definitions of "access" (Clawson, Neustadtl, and Weller 1998). (And with the recent Supreme Court decision on the Bipartisan Campaign Finance Reform Act, this question has taken on renewed relevance.) The danger is that pluralist assumption can be a way of avoiding attempts to search for patterns of power. This seems to be especially the case when the literature is heavily focused, as it has

been, on the internal or endogenous aspects of Congress and congressional action.

Not that I jumped on the opportunity to fill the void; it is problem that I keep grappling but failing to pin. A number of congressional fellows have translated their experience directly into a book or article. This has often taken the "how a bill (that I worked on) became a law (or not)" format. Though the congressional reorganization process offered such an opportunity, I did not take it, though one article and one book chapter grew out of issues from the 103rd Congress (Wirles 1996, 1998). The irony is that after I left DC I found myself working on pieces of the bicameralism puzzle in an increasingly historical fashion (Wirles 1999), a process that ultimately resulted in a book on the invention of the Senate (Wirles and Wirles 2004). Nevertheless, I think the question about whose interests Congress serves remains a vital one on which we have not shed much light.

Après le Deluge

The only drawback of being a 1993-94 congressional fellow was that for the first time in the program's history, one could argue, a true political earthquake reshaped the institution within weeks of end of the term. Almost before I had a chance to impart my hard earned, first hand wisdom to my students an important portion of that knowledge disappeared. The elections of 1994 and the 104th Congress that resulted eliminated not only the Democratic majority so familiar to us all, but also many of the actors (or their positions) one had gotten to know, in some cases personally. Perhaps most distressing of all, soon thereafter, the names of several committees changed. Do other of my colleagues still refer to the Foreign Affairs Committee? None of this was supposed to change, right? Was I more angry that the Republicans had won or that my base of knowledge had just been decimated? At the time, it was a close call. Then again, Gingrich,

Armev, DeLay and the rest proved to be a most engaging and entertaining group. My students were paying attention to Congress in a way they had never before; and for that, if nothing else, I suppose we should be grateful.

When I first returned to California, I was missing D.C. pretty bad. A few days after getting home, I switched on the TV and there was the Senate Banking Committee holding its first hearings on Whitewater, hearings for which I had helped prepare Senator Dodd. I said to myself, "Damn, I wish I were there." I am not an avid CSPANer; I rarely watch. But almost exactly a year later, I happened to tune in again, and lo and behold, there were more hearings on Whitewater before the Senate Banking Committee, this time under Republican control. I glanced at the screen again. It said it was live; I did not think it possible: it was ten PM; one in the morning in Washington. "Damn," I thought, "I'm glad I'm not there." But I am quite thankful to have been there, and I thank the APSA, once again, for a most memorable and important year.

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